

Problem-Solving Courts Committee

Meeting Minutes

**January 12, 2007 at 1:00 pm
IJC, room 1068**

I. Welcome

Judge Shaheed opened the meeting and welcomed the members. Members in attendance included Judge Shaheed, Judge Blau, Commissioner Christ-Garcia, Judge Goff, Judge Surbeck, Judge Todd, Judge Trockman, Jamie Bergacs, Sheila Hudson, Paul Southwick and Don Travis. Other present included Jane Seigel, Cheri Harris, Lisa White, Mary Kay Hudson, and Julie von Arx, Deputy Commissioner, Indiana Department of Correction.

II. Review minutes of last meeting

Members reviewed and unanimously approved the minutes from committee meeting held November 3, 2006.

III. Committee mission statement report

Judge Surbeck reported that since the last meeting he, Sheila Hudson and Commissioner Christ worked to develop a draft of the committee's mission statement and principles. Members were provided a copy of the draft documents. Judge Shaheed asked members to review the documents prior to the next meeting. Members will discuss the proposed language at the next committee meeting.

IV. Draft of reentry court rules / procedures

Cheri Harris reported that since the last meeting she had met with Judge Surbeck and Sheila Hudson to obtain their comments and feedback on how the drug court rules may be modified to fit the reentry court model. Ms. Harris reported that Jamie Bergacs also provided comments on the drug court rules to IJC via email. Ms. Harris reported that she had incorporated those comments into an initial draft provided to members at today's meeting. Ms. Harris also reported that she had recently received additional comments from Klinton Krouse of the Allen County reentry court that were not included in this draft.

Judge Shaheed asked if committee members would volunteer to be part of a workgroup to further develop the reentry court rules. Judges Brugnaux, Shaheed, Surbeck and Todd, Jamie Bergacs, Sheila Hudson, and Don Travis agreed to serve on the workgroup. Klinton Krouse of Allen County reentry court and Cindy Houston of the Center for Behavioral Health - Bloomington will also be invited to serve on the workgroup. The workgroup is scheduled to meet on **February 23,**

2007 at 1:30 pm at IJC. Cheri Harris will forward the workgroup members a revised draft of the reentry court rules for review and comment prior to the February meeting.

Julie von Arx reported that Judge Heldt (Vanderburgh Circuit) and Judge Johnson (Tippecanoe Superior) have applied to DOC for reentry court funding.

V. Update on drug court evaluation

Mary Kay Hudson provided members with an overview of the drug court study interim reports submitted by NPC in December 2007. Mary Kay Hudson reported that the final reports should be completed by then end of February 2007. Members discussed that program evaluation should be considered an ongoing need.

VI. Funding update for problem-solving courts (drug courts, forensic diversion, etc)

Judge Shaheed reported that he sent a memo to the Chief Justice this week on behalf of the committee and the drug court subcommittee requesting the Chief Justice's permission and support to pursue drug court funding legislation in 2007. Judge Shaheed reported that he not yet received a response from the Chief Justice.

Judge Shaheed reported that the Forensic Diversion Study Committee is recommending that the legislature fund local forensic diversion programs in the amount of \$7M - \$13M (\$4M toward treatment through DMHA with the remainder for administrative costs through the forensic diversion program account administered by DOC). He also reported that Senators Long and Foley are very supportive of funding various drug treatment programs, including reentry courts, drug courts, problem-solving courts and reentry courts.

VII. Problem-solving courts survey results

Mary Kay Hudson provided members an overview of the survey results. Ms. Hudson reported that 109 judges responded to the survey. IJC will do follow-up from this survey to increase the number of responses and to obtain additional information about the courts that have implemented problem-solving courts / approaches in their jurisdictions. IJC will use this information to develop a catalog of Indiana problems-solving courts.

VIII. Proposed legislation re: habitual traffic violator

Cheri Harris provided an overview of a proposed revision to the habitual traffic violator statute drafted by Judge Culver. The proposed language would permit courts to authorize conditional driving privileges to habitual traffic violators under court supervision. Members also discussed a separate legislative proposal drafted by Judge Meier. The proposal seeks to:

1. expand the population who can be accepted into a drug court or court alcohol and drug program.
2. authorize judges in family law cases to require a parent etc. to undergo a substance abuse / mental health screening and require treatment as a condition of custody, parenting time, or visitation and require participation in a drug court or court alcohol and drug program.
3. Authorize the transfer of drug court cases between counties.

Ms. Harris reported that as of the meeting date, she had not been able to locate any bills filed containing this language. Members were provided copies of the proposed language. Members discussed that the language has not gone through the judicial conference committee and board of directors' legislative approval process in time to be submitted for the 2007 session. Judge Shaheed stated and members agreed that it is important for legislative proposals to go through the process. Judge Blau stated that the drug court subcommittee would be willing to review and consider the proposed language for possible submission to the 2008 legislature.

Judge Shaheed advised members HB 1543 - Truth in sentencing – was filed. The bill creates department of correction credit Class IV for felons who are: (1) sex offenders; or (2) convicted of Class A or Class B felonies.

Mary Kay Hudson advised members that HB 1053 – Eligibility for TANF - was filed. The bill provides that an individual who has been convicted of a felony involving a controlled substance and has completed or is participating in certain substance abuse treatment programs or mental health programs may receive assistance under the federal Temporary Assistance for Needy Families (TANF) program for up to 12 months. The Forensic Diversion Study Committee prepared the introduced version of the bill.

IX. Schedule next meeting date

The committee will meet on **Friday, March 16, 2007 at 1:30 pm** at IJC room 1371.

The **drug court subcommittee** will meet on **Friday, March 16, 2007 at 10:00 am** at IJC room 1371.

The **reentry court rules workgroup** will meet on **February 23, 2007 at 1:30 pm** at IJC room 1371.

X. Adjourn

Judge Shaheed adjourned the meeting at approximately 2:40 pm.